

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : CHAPTER 11
:
STONE CREEK MECHANICAL, INC. :
:
DEBTOR(S) : BANKRUPTCY No. 04-11255 SR

ORDER

AND NOW, upon consideration of *Debtor's Motion to Compel Release of Retainage Fund Being held by Marple-Newtown School District.*" (The "Motion."), the Answer in opposition filed thereto by the Marple-Newtown School District (the "District"), the Answer and Cross-Motion of Fidelity & Deposit Company of Maryland ("F&D") thereto, and after hearing thereon April 10, 2008, it is hereby:

ORDERED, that for the reasons set forth in the attached Opinion, the Motion and Cross Motion shall be and hereby are Denied.

By the Court:



Stephen Raslavich
Chief U.S. Bankruptcy Judge

Dated: October 7, 2008

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Nancy Mulvehill, Courtroom Deputy to Judge Raslavich